

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION,

STATE OF NEW YORK, and

STATE OF FLORIDA,

Plaintiffs,

v.

THE TAX CLUB, INC., et al.,

Defendants, and

SANDRA C. SAVAGE,

Relief Defendant.

Case No. 13-CV-210 (JMF)

**STIPULATED FINAL JUDGMENT
AND ORDER FOR PERMANENT
INJUNCTION AND MONETARY
RELIEF AS TO THE
CORPORATE DEFENDANTS AND
INDIVIDUAL DEFENDANTS
BRENDON A. PACK AND
MICHAEL M. SAVAGE**

Plaintiffs Federal Trade Commission ("FTC" or "Commission"), and the State of New York and State of Florida, through their Attorneys General, filed their Complaint for Permanent Injunction and Other Equitable Relief, subsequently amended as First Amended Complaint for Permanent Injunction and Other Equitable Relief ("Amended Complaint"), for a permanent injunction, civil penalties, and other equitable relief in this matter, pursuant to Sections 13(b) and 19 of the Federal Trade Commission Act (the "FTC Act"), 15 U.S.C. §§ 53(b) and 57b, the Telemarketing and Consumer Fraud Abuse Prevention Act (the "Telemarketing Act"), 15 U.S.C. §§ 6101-6108, the Florida Deceptive and Unfair Trade Practices Act ("FDUTPA"), §§ 501.201 *et seq.*, and New York Executive Law § 63(12) ("NY Exec. Law"), in connection with the

marketing and sale of business development products and services. Plaintiffs, Individual Defendants Brendon A. Pack and Michael M. Savage, and the Corporate Defendants (as defined below) stipulate to the entry of this Stipulated Final Judgment and Order for Permanent Injunction and Monetary Relief as to Individual Defendants Brendon A. Pack and Michael M. Savage and the Corporate Defendants ("Order") to resolve all matters of dispute between them in this action.

THEREFORE, IT IS ORDERED as follows:

FINDINGS

1. This Court has jurisdiction over this matter.
2. The Amended Complaint charges that Defendants participated in deceptive acts or practices in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), the FTC's Trade Regulation Rule entitled Telemarketing Sales Rule ("TSR" or "Rule"), 16 C.F.R. Part 310, the New York Executive Law ("NY Exec. Law") §63(12), New York General Business Law ("GBL") §§ 349 and 350, and the Florida Deceptive and Unfair Trade Practices Act ("FDUPTA"), §501.201 *et. seq.*
3. The Settling Defendants (as defined below) neither admit nor deny any of the allegations in the Amended Complaint, except as specifically stated in this Order. Only for purposes of this action, the Settling Defendants admit the facts necessary to establish jurisdiction.
4. The Settling Defendants waive any claim they may have under the Equal Access to Justice Act, 28 U.S.C. §2412, concerning the prosecution of this action through the date of this Order, and agree to bear their own costs and attorney fees.

5. The Settling Defendants waive all rights to appeal or otherwise challenge or contest the validity of this Order.

DEFINITIONS

For purposes of this Order, the following definitions apply:

1. **“Business Coaching Services”** means any product or service, including any program or plan, that is represented, expressly or by implication, to train or teach a consumer how to establish a business. The term Business Coaching Services expressly does not include tax or accounting services.
2. **“Credit Development Services”** means any product or service that is represented expressly or by implication to develop or obtain business credit..
3. **“Corporate Defendants”** means the Tax Club, Inc., also doing business as Success Merchant Services, Corporate Tax Network, Corporate Credit, and E-tax Hotline 8882790191; Manhattan Professional Group, Inc., also doing business as The Tax Club, Bookkeeping Services, Bookkeeping Services, Ikongo, Essential Planning, Corporate Tax Network, Business Document Center, the Success Planning Group, All Access Books, and Vital Payroll; 5410, Inc., also doing business as Internet Marketing Success, the Success Planning Group, Success Planning Group 2, Success Online, Business Credit, Success Merchant Processing, Real Estate Wire, Day Trade Team, Funding Fasttrack, Corporate Credit, Corporate Credit 2, and Prestige Financing Services; Marble Base, Inc., also doing business as Business Resources, Corporate Solutions, Business Success, Business Services, Online Development, and Jade Seek; 6015, LLC, also doing business as Cypress Corp. Services, My Tax Service, and Accounting Group Services; Ikongo,

Inc.; Tahuya, Inc.; Visavis, Inc.; HB Marketing Services, LLC, also doing business as Global Education, Website Services, Cell Phone Coaching, Maverick MM, and Email Cash; Premier Coaching & Consulting, LLC, also doing business as Premier Coaching, Website Services, AC Secrets: 8774372521, Automatic Profit System, Advanced Profits, VIP Profits, Automatic Profit System VIP, and Automatic Profit System Advanced; Skorprios Holdings, Inc., also known as Skorprios Holding, Inc., and any fictitious business entities or business names created or used by these entities, and their successors and assigns.

4. **“Defendants”** means Individual Defendants Michael M. Savage and Brendon A. Pack, Edward B. Johnson, Gary J. Milkwick and the Corporate Defendants, individually, collectively, or in any combination.
5. **“Individual Defendant Pack”** means Brendon A. Pack.
6. **“Individual Defendant Savage”** means Michael M. Savage.
7. **“Person”** means a natural person, organization, or other legal entity, including a corporation, partnership, proprietorship, association, cooperative, government or governmental subdivision or agency, or any other group or combination acting as an entity.
8. **“Plaintiffs”** means the Federal Trade Commission (“FTC” or “Commission”), the State of New York, and the State of Florida.
9. **“Settling Defendants”** means Individual Defendants Pack and Savage and the Corporate Defendants.

10. **"Telemarketing"** means any plan, program or campaign which is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the TSR.
11. **"Work-at-Home Opportunity"** means any product or service, including any program or plan, that is represented, expressly or by implication, to assist a consumer in any manner to earn money while working from home.

ORDER

I. ~~BAN ON MARKETING OR SALE OF BUSINESS COACHING SERVICES, CREDIT DEVELOPMENT SERVICES, AND WORK-AT-HOME OPPORTUNITIES~~

IT IS ORDERED that the Settling Defendants are permanently restrained and enjoined from advertising, marketing, promoting, or offering for sale any Business Coaching Services, Credit Development Services, or Work-at-Home Opportunities.

Provided, however, this provision does not include tax or accounting services, including tax consulting and preparation, bookkeeping, and payroll.

II. PROHIBITION ON OUTBOUND TELEMARKETING

IT IS ORDERED that the Settling Defendants are permanently restrained and enjoined from initiating outbound telephone calls to induce the purchase of products or services whether directly or through an intermediary.

Provided, however, this provision does not apply where the Settling Defendants have obtained the express agreement, in writing, of such person to place calls to that person. Such written agreement shall clearly evidence such person's authorization that calls made by or on behalf of a specific party may be placed to that person, and shall include the telephone number to

which the calls may be placed and the signature of that person, prior to any outbound telemarketing. For the purpose of this Section, the term “signature” shall include an electronic or digital form of signature, to the extent that such form of signature is recognized as a valid signature under applicable federal law or state contract law. This written signature requirement is met if such signature complies with the requirements of the Electronic Signature in Global and National Commerce Act (“E-SIGN”). For the purposes of this Section only, “in writing” shall include writings in digital or electronic format.

Provided, however, this provision does not prohibit outbound telephone calls to persons who have purchased products concerning services to be fulfilled or provided by the Settling Defendants related to such previous purchases, until such time as the purchaser makes a do-not-call request. Provided, however, nothing in this Section limits the requirements imposed by any provision of the TSR on any Settling Defendant. (A copy of the TSR is attached as Attachment A.)

III. PROHIBITIONS RELATING TO TELEMARKETING PRACTICES

IT IS FURTHER ORDERED that, in connection with telemarketing, the Settling Defendants, their officers, agents, servants, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the sale of any product or service, are permanently restrained and enjoined from:

- A. Failing to disclose truthfully, promptly, and in a clear and conspicuous manner:
 - (1) the identity of the seller; (2) that the purpose of the call is to sell goods or services; and (3) the nature of those good or services; and

- B. Violating any provision of the TSR. (A copy of the TSR is attached as Attachment A.)

IV. PROHIBITED PRACTICES RELATING TO ANY PRODUCTS OR SERVICES

IT IS FURTHER ORDERED that the Settling Defendants, their officers, agents, servants, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the sale of any products or services, are permanently restrained and enjoined from misrepresenting or assisting others in misrepresenting, expressly or by implication, any material fact, including, but not limited to:

- A. That consumers will recoup the cost of the Settling Defendants' products and services through the provision of any product or service any Settling Defendant offers, and/or provision of a tax deduction, tax refund, or tax credit;
- B. That consumers will be able to transfer the cost of the Settling Defendants' products and services to their future businesses;
- C. That consumers will have unlimited access to advisors;
- D. That any advisors will provide specialized expert advice tailored to the consumers' specific needs;
- E. That consumers will receive individualized business plans tailored to the consumer's particular business;
- F. That consumers will recoup the money they already paid to other companies if they purchase additional products and services from any Settling Defendant;

- G. That any person or entity is affiliated or associated with, under contract with, acting in partnership with, endorsed or approved by, or otherwise connected to any other person, business entity, or government entity;
- H. The cost of any product or service;
- I. Any material restriction, limitation, or condition on the product or service;
- J. Any material aspect of the nature or terms of any refund, cancellation, exchange, or repurchase policy for the product or service; and
- K. Any material aspect of the performance, efficacy, nature, or central characteristics of the product or service.

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1. *Stellen Sie sich ein beliebiges Objekt vor, das Sie in der Natur finden könnten. Beschreiben Sie es, indem Sie die folgenden Punkte berücksichtigen:*

[illegible][illegible]

100% of the respondents were female, and 90% were aged 18 years or older. The majority of the respondents were students (60%), followed by employees (20%), and the remaining 20% were categorized as "other." The majority of the respondents were from the United States (60%), followed by Canada (20%), and the remaining 20% were from other countries.

[illegible]

1. The first step in the process of identifying a problem is to recognize that a problem exists. This involves gathering information about the situation and identifying the specific issue that needs to be addressed.

[illegible][illegible]

1. The first step in the process is to identify the problem. This involves gathering information about the situation and understanding the needs of the stakeholders involved.

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[illegible]

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

[illegible][illegible]

1. *Journal of Management Studies*, 1996, 33, 1, 1-14.

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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Table 1. Demographic characteristics of study population

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The *Agrobacterium* strains were grown in the YEA medium for 24 h at 28 °C. The cell concentration of the strains was adjusted to 1.0 × 10⁸ cells/ml. The cell suspension was mixed with the plant tissue and the transformation efficiency was determined. The results were expressed as the mean ± SD of three independent experiments. The asterisks indicate the significant difference between the strains at the same concentration of the cell suspension.

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Table 1 Demographic characteristics of study population

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Abstract The purpose of this study was to determine whether there were differences in the prevalence of self-reported depression between men and women who had been exposed to violence by intimate partners. Data from the National Longitudinal Study of Women's Health are used to examine the relationship between exposure to partner violence and self-reported depression among women aged 18-60 years old. Results indicate that women who reported being physically or sexually abused by their current or former partners were more likely to report having experienced depression than those who did not experience partner violence. These findings suggest that exposure to partner violence may be a risk factor for depression.

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[Faint, illegible handwritten notes]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

10. *Journal of the American Medical Association*, 2000; 284: 1039-1044.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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Figure 1. The effect of the number of trials on the number of correct responses. The number of correct responses was significantly higher than the number of incorrect responses in all cases. The number of correct responses was significantly higher than the number of incorrect responses in all cases. The number of correct responses was significantly higher than the number of incorrect responses in all cases.

Table 1. *Salmonella* serotypes and their associated diseases. The table lists various serotypes and their associated diseases, including enteric fever, enteric fever-like illness, gastroenteritis, and other diseases. The table is organized into columns for serotype, disease, and other information.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

the 1990s, the number of people in the United States who are 65 years of age or older is projected to increase from 20 million to 35 million, and the number of people 75 years of age or older is projected to increase from 10 million to 17 million (U.S. Census Bureau, 1996). The number of people 85 years of age or older is projected to increase from 2 million to 4 million (U.S. Census Bureau, 1996). The number of people 90 years of age or older is projected to increase from 500,000 to 1 million (U.S. Census Bureau, 1996). The number of people 95 years of age or older is projected to increase from 100,000 to 200,000 (U.S. Census Bureau, 1996). The number of people 100 years of age or older is projected to increase from 10,000 to 20,000 (U.S. Census Bureau, 1996).

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Figure 1. The effect of the concentration of the *Agrobacterium* strain on the transformation efficiency of *Agrobacterium* strain 1024. The *Agrobacterium* strain 1024 was cultured in the YEA medium for 24 h and then the cell concentration was adjusted to 10⁸ cells/ml. The cell concentration was then adjusted to 10⁷, 10⁶, 10⁵, 10⁴, 10³, 10², 10¹, 10⁰, 10⁻¹, 10⁻², 10⁻³, 10⁻⁴, 10⁻⁵, 10⁻⁶, 10⁻⁷, 10⁻⁸, 10⁻⁹, 10⁻¹⁰, 10⁻¹¹, 10⁻¹², 10⁻¹³, 10⁻¹⁴, 10⁻¹⁵, 10⁻¹⁶, 10⁻¹⁷, 10⁻¹⁸, 10⁻¹⁹, 10⁻²⁰, 10⁻²¹, 10⁻²², 10⁻²³, 10⁻²⁴, 10⁻²⁵, 10⁻²⁶, 10⁻²⁷, 10⁻²⁸, 10⁻²⁹, 10⁻³⁰, 10⁻³¹, 10⁻³², 10⁻³³, 10⁻³⁴, 10⁻³⁵, 10⁻³⁶, 10⁻³⁷, 10⁻³⁸, 10⁻³⁹, 10⁻⁴⁰, 10⁻⁴¹, 10⁻⁴², 10⁻⁴³, 10⁻⁴⁴, 10⁻⁴⁵, 10⁻⁴⁶, 10⁻⁴⁷, 10⁻⁴⁸, 10⁻⁴⁹, 10⁻⁵⁰, 10⁻⁵¹, 10⁻⁵², 10⁻⁵³, 10⁻⁵⁴, 10⁻⁵⁵, 10⁻⁵⁶, 10⁻⁵⁷, 10⁻⁵⁸, 10⁻⁵⁹, 10⁻⁶⁰, 10⁻⁶¹, 10⁻⁶², 10⁻⁶³, 10⁻⁶⁴, 10⁻⁶⁵, 10⁻⁶⁶, 10⁻⁶⁷, 10⁻⁶⁸, 10⁻⁶⁹, 10⁻⁷⁰, 10⁻⁷¹, 10⁻⁷², 10⁻⁷³, 10⁻⁷⁴, 10⁻⁷⁵, 10⁻⁷⁶, 10⁻⁷⁷, 10⁻⁷⁸, 10⁻⁷⁹, 10⁻⁸⁰, 10⁻⁸¹, 10⁻⁸², 10⁻⁸³, 10⁻⁸⁴, 10⁻⁸⁵, 10⁻⁸⁶, 10⁻⁸⁷, 10⁻⁸⁸, 10⁻⁸⁹, 10⁻⁹⁰, 10⁻⁹¹, 10⁻⁹², 10⁻⁹³, 10⁻⁹⁴, 10⁻⁹⁵, 10⁻⁹⁶, 10⁻⁹⁷, 10⁻⁹⁸, 10⁻⁹⁹, 10⁻¹⁰⁰, 10⁻¹⁰¹, 10⁻¹⁰², 10⁻¹⁰³, 10⁻¹⁰⁴, 10⁻¹⁰⁵, 10⁻¹⁰⁶, 10⁻¹⁰⁷, 10⁻¹⁰⁸, 10⁻¹⁰⁹, 10⁻¹¹⁰, 10⁻¹¹¹, 10⁻¹¹², 10⁻¹¹³, 10⁻¹¹⁴, 10⁻¹¹⁵, 10⁻¹¹⁶, 10⁻¹¹⁷, 10⁻¹¹⁸, 10⁻¹¹⁹, 10⁻¹²⁰, 10⁻¹²¹, 10⁻¹²², 10⁻¹²³, 10⁻¹²⁴, 10⁻¹²⁵, 10⁻¹²⁶, 10⁻¹²⁷, 10⁻¹²⁸, 10⁻¹²⁹, 10⁻¹³⁰, 10⁻¹³¹, 10⁻¹³², 10⁻¹³³, 10⁻¹³⁴, 10⁻¹³⁵, 10⁻¹³⁶, 10⁻¹³⁷, 10⁻¹³⁸, 10⁻¹³⁹, 10⁻¹⁴⁰, 10⁻¹⁴¹, 10⁻¹⁴², 10⁻¹⁴³, 10⁻¹⁴⁴, 10⁻¹⁴⁵, 10⁻¹⁴⁶, 10⁻¹⁴⁷, 10⁻¹⁴⁸, 10⁻¹⁴⁹, 10⁻¹⁵⁰, 10⁻¹⁵¹, 10⁻¹⁵², 10⁻¹⁵³, 10⁻¹⁵⁴, 10⁻¹⁵⁵, 10⁻¹⁵⁶, 10⁻¹⁵⁷, 10⁻¹⁵⁸, 10⁻¹⁵⁹, 10⁻¹⁶⁰, 10⁻¹⁶¹, 10⁻¹⁶², 10⁻¹⁶³, 10⁻¹⁶⁴, 10⁻¹⁶⁵, 10⁻¹⁶⁶, 10⁻¹⁶⁷, 10⁻¹⁶⁸, 10⁻¹⁶⁹, 10⁻¹⁷⁰, 10⁻¹⁷¹, 10⁻¹⁷², 10⁻¹⁷³, 10⁻¹⁷⁴, 10⁻¹⁷⁵, 10⁻¹⁷⁶, 10⁻¹⁷⁷, 10⁻¹⁷⁸, 10⁻¹⁷⁹, 10⁻¹⁸⁰, 10⁻¹⁸¹, 10⁻¹⁸², 10⁻¹⁸³, 10⁻¹⁸⁴, 10⁻¹⁸⁵, 10⁻¹⁸⁶, 10⁻¹⁸⁷, 10⁻¹⁸⁸, 10⁻¹⁸⁹, 10⁻¹⁹⁰, 10⁻¹⁹¹, 10⁻¹⁹², 10⁻¹⁹³, 10⁻¹⁹⁴, 10⁻¹⁹⁵, 10⁻¹⁹⁶, 10⁻¹⁹⁷, 10⁻¹⁹⁸, 10⁻¹⁹⁹, 10⁻²⁰⁰, 10⁻²⁰¹, 10⁻²⁰², 10⁻²⁰³, 10⁻²⁰⁴, 10⁻²⁰⁵, 10⁻²⁰⁶, 10⁻²⁰⁷, 10⁻²⁰⁸, 10⁻²⁰⁹, 10⁻²¹⁰, 10⁻²¹¹, 10⁻²¹², 10⁻²¹³, 10⁻²¹⁴, 10⁻²¹⁵, 10⁻²¹⁶, 10⁻²¹⁷, 10⁻²¹⁸, 10⁻²¹⁹, 10⁻²²⁰, 10⁻²²¹, 10⁻²²², 10⁻²²³, 10⁻²²⁴, 10⁻²²⁵, 10⁻²²⁶, 10⁻²²⁷, 10⁻²²⁸, 10⁻²²⁹, 10⁻²³⁰, 10⁻²³¹, 10⁻²³², 10⁻²³³, 10⁻²³⁴, 10⁻²³⁵, 10⁻²³⁶, 10⁻²³⁷, 10⁻²³⁸, 10⁻²³⁹, 10⁻²⁴⁰, 10⁻²⁴¹, 10⁻²⁴², 10⁻²⁴³, 10⁻²⁴⁴, 10⁻²⁴⁵, 10⁻²⁴⁶, 10⁻²⁴⁷, 10⁻²⁴⁸, 10⁻²⁴⁹, 10⁻²⁵⁰, 10⁻²⁵¹, 10⁻²⁵², 10⁻²⁵³, 10⁻²⁵⁴, 10⁻²⁵⁵, 10⁻²⁵⁶, 10⁻²⁵⁷, 10⁻²⁵⁸, 10⁻²⁵⁹, 10⁻²⁶⁰, 10⁻²⁶¹, 10⁻²⁶², 10⁻²⁶³, 10⁻²⁶⁴, 10⁻²⁶⁵, 10⁻²⁶⁶, 10⁻²⁶⁷, 10⁻²⁶⁸, 10⁻²⁶⁹, 10⁻²⁷⁰, 10⁻²⁷¹, 10⁻²⁷², 10⁻²⁷³, 10⁻²⁷⁴, 10⁻²⁷⁵, 10⁻²⁷⁶, 10⁻²⁷⁷, 10⁻²⁷⁸, 10⁻²⁷⁹, 10⁻²⁸⁰, 10⁻²⁸¹, 10⁻²⁸², 10⁻²⁸³, 10⁻²⁸⁴, 10⁻²⁸⁵, 10⁻²⁸⁶, 10⁻²⁸⁷, 10⁻²⁸⁸, 10⁻²⁸⁹, 10⁻²⁹⁰, 10⁻²⁹¹, 10⁻²⁹², 10⁻²⁹³, 10⁻²⁹⁴, 10⁻²⁹⁵, 10⁻²⁹⁶, 10⁻²⁹⁷, 10⁻²⁹⁸, 10⁻²⁹⁹, 10⁻³⁰⁰, 10⁻³⁰¹, 10⁻³⁰², 10⁻³⁰³, 10⁻³⁰⁴, 10⁻³⁰⁵, 10⁻³⁰⁶, 10⁻³⁰⁷, 10⁻³⁰⁸, 10⁻³⁰⁹, 10⁻³¹⁰, 10⁻³¹¹, 10⁻³¹², 10⁻³¹³, 10⁻³¹⁴, 10⁻³¹⁵, 10⁻³¹⁶, 10⁻³¹⁷, 10⁻³¹⁸, 10⁻³¹⁹, 10⁻³²⁰, 10⁻³²¹, 10⁻³²², 10⁻³²³, 10⁻³²⁴, 10⁻³²⁵, 10⁻³²⁶, 10⁻³²⁷, 10⁻³²⁸, 10⁻³²⁹, 10⁻³³⁰, 10⁻³³¹, 10⁻³³², 10⁻³³³, 10⁻³³⁴, 10⁻³³⁵,

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1000

$\frac{d}{dt} \left(\frac{1}{\rho} \right) = - \frac{1}{\rho^2} \frac{d\rho}{dt}$

[illegible][illegible]

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The number of cells in the suspension was 100 million cells per ml. The concentration of the suspension was 100, 200, 300, 400, 500, 600, 700, 800, 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, 1800, 1900, 2000, 2100, 2200, 2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200, 3300, 3400, 3500, 3600, 3700, 3800, 3900, 4000, 4100, 4200, 4300, 4400, 4500, 4600, 4700, 4800, 4900, 5000, 5100, 5200, 5300, 5400, 5500, 5600, 5700, 5800, 5900, 6000, 6100, 6200, 6300, 6400, 6500, 6600, 6700, 6800, 6900, 7000, 7100, 7200, 7300, 7400, 7500, 7600, 7700, 7800, 7900, 8000, 8100, 8200, 8300, 8400, 8500, 8600, 8700, 8800, 8900, 9000, 9100, 9200, 9300, 9400, 9500, 9600, 9700, 9800, 9900, 10000, 10100, 10200, 10300, 10400, 10500, 10600, 10700, 10800, 10900, 11000, 11100, 11200, 11300, 11400, 11500, 11600, 11700, 11800, 11900, 12000, 12100, 12200, 12300, 12400, 12500, 12600, 12700, 12800, 12900, 13000, 13100, 13200, 13300, 13400, 13500, 13600, 13700, 13800, 13900, 14000, 14100, 14200, 14300, 14400, 14500, 14600, 14700, 14800, 14900, 15000, 15100, 15200, 15300, 15400, 15500, 15600, 15700, 15800, 15900, 16000, 16100, 16200, 16300, 16400, 16500, 16600, 16700, 16800, 16900, 17000, 17100, 17200, 17300, 17400, 17500, 17600, 17700, 17800, 17900, 18000, 18100, 18200, 18300, 18400, 18500, 18600, 18700, 18800, 18900, 19000, 19100, 19200, 19300, 19400, 19500, 19600, 19700, 19800, 19900, 20000, 20100, 20200, 20300, 20400, 20500, 20600, 20700, 20800, 20900, 21000, 21100, 21200, 21300, 21400, 21500, 21600, 21700, 21800, 21900, 22000, 22100, 22200, 22300, 22400, 22500, 22600, 22700, 22800, 22900, 23000, 23100, 23200, 23300, 23400, 23500, 23600, 23700, 23800, 23900, 24000, 24100, 24200, 24300, 24400, 24500, 24600, 24700, 24800, 24900, 25000, 25100, 25200, 25300, 25400, 25500, 25600, 25700, 25800, 25900, 26000, 26100, 26200, 26300, 26400, 26500, 26600, 26700, 26800, 26900, 27000, 27100, 27200, 27300, 27400, 27500, 27600, 27700, 27800, 27900, 28000, 28100, 28200, 28300, 28400, 28500, 28600, 28700, 28800, 28900, 29000, 29100, 29200, 29300, 29400, 29500, 29600, 29700, 29800, 29900, 30000, 30100, 30200, 30300, 30400, 30500, 30600, 30700, 30800, 30900, 31000, 31100, 31200, 31300, 31400, 31500, 31600, 31700, 31800, 31900, 32000, 32100, 32200, 32300, 32400, 32500, 32600, 32700, 32800, 32900, 33000, 33100, 33200, 33300, 33400, 33500, 33600, 33700, 33800, 33900, 34000, 34100, 34200, 34300, 34400, 34500, 34600, 34700, 34800, 34900, 35000, 35100, 35200, 35300, 35400, 35500, 35600, 35700, 35800, 35900, 36000, 36100, 36200, 36300, 36400, 36500, 36600, 36700, 36800, 36900, 37000, 37100, 37200, 37300, 37400, 37500, 37600, 37700, 37800, 37900, 38000, 38100, 38200, 38300, 38400, 38500, 38600, 38700, 38800, 38900, 39000, 39100, 39200, 39300, 39400, 39500, 39600, 39700, 39800, 39900, 40000, 40100, 40200, 40300, 40400, 40500, 40600, 40700, 40800, 40900, 41000, 41100, 41200, 41300, 41400, 41500, 41600, 41700, 41800, 41900, 42000, 42100, 42200, 42300, 42400, 42500, 42600, 42700, 42800, 42900, 43000, 43100, 43200, 43300, 43400, 43500, 43600, 43700, 43800, 43900, 44000, 44100, 44200, 44300, 44400, 44500, 44600, 44700, 44800, 44900, 45000, 45100, 45200, 45300, 45400, 45500, 45600, 45700, 45800, 45900, 46000, 46100, 46200, 46300, 46400, 46500, 46600, 46700, 46800, 46900, 47000, 47100, 47200, 47300, 47400, 47500, 47600, 47700, 47800, 47900, 48000, 48100, 48200, 48300, 48400, 48500, 48600, 48700, 48800, 48900, 49000, 49100, 49200, 49300, 49400, 49500, 49600, 49700, 49800, 49900, 50000, 50100, 50200, 50300, 50400, 50500, 50600, 50700, 50800, 50900, 51000, 51100, 51200, 51300, 51400, 51500, 51600, 51700, 51800, 51900, 52000, 52100, 52200, 52300, 52400, 52500, 52600, 52700, 52800, 52900, 53000, 53100, 53200, 53300, 53400, 53500, 53600, 53700, 53800, 53900, 54000, 54100, 54200, 54300, 54400, 54500, 54600, 54700, 54800, 54900, 55000, 55100, 55200, 55300, 55400, 55500, 55600, 55700, 55800, 55900, 56000, 56100, 56200, 56300, 56400, 56500, 56600, 56700, 56800, 56900, 57000, 57100, 57200, 57300, 57400, 57500, 57600, 57700, 57800, 57900, 58000, 58100, 58200, 58300, 58400, 58500, 58600, 58700, 58800, 58900, 59000, 59100, 59

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

the 1990s, the number of people in the world who are illiterate has increased from 1.2 billion to 1.5 billion. The number of illiterate people in the world is expected to increase to 1.7 billion by the year 2015. The number of illiterate people in the world is expected to increase to 1.9 billion by the year 2020. The number of illiterate people in the world is expected to increase to 2.1 billion by the year 2025. The number of illiterate people in the world is expected to increase to 2.3 billion by the year 2030. The number of illiterate people in the world is expected to increase to 2.5 billion by the year 2035. The number of illiterate people in the world is expected to increase to 2.7 billion by the year 2040. The number of illiterate people in the world is expected to increase to 2.9 billion by the year 2045. The number of illiterate people in the world is expected to increase to 3.1 billion by the year 2050. The number of illiterate people in the world is expected to increase to 3.3 billion by the year 2055. The number of illiterate people in the world is expected to increase to 3.5 billion by the year 2060. The number of illiterate people in the world is expected to increase to 3.7 billion by the year 2065. The number of illiterate people in the world is expected to increase to 3.9 billion by the year 2070. The number of illiterate people in the world is expected to increase to 4.1 billion by the year 2075. The number of illiterate people in the world is expected to increase to 4.3 billion by the year 2080. The number of illiterate people in the world is expected to increase to 4.5 billion by the year 2085. The number of illiterate people in the world is expected to increase to 4.7 billion by the year 2090. The number of illiterate people in the world is expected to increase to 4.9 billion by the year 2095. The number of illiterate people in the world is expected to increase to 5.1 billion by the year 2100.

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.



1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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VIII. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that the Settling Defendants, their officers, agents, servants, and employees, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from directly or indirectly:

- A. Failing to provide sufficient customer information to enable the Plaintiffs to efficiently administer consumer redress. If a representative of any Plaintiff requests in writing any information related to redress, the Settling Defendants must provide it, in the form prescribed by such Plaintiff, within 14 days; and
- B. disclosing, selling, or otherwise providing third parties with customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account, including a credit card, bank account, or other financial account, that any Defendant obtained prior to entry of this Order from any other entity that Defendants classify as a business opportunity lead source.

IX. ORDER ACKNOWLEDGMENTS

IT IS FURTHER ORDERED that the Settling Defendants obtain acknowledgments of receipt of this Order:

■

- A. Each Settling Defendant, within 7 days of entry of this Order, must submit to the Commission an acknowledgment of receipt of this Order sworn under penalty of perjury.
- B. For 10 years after entry of this Order, each Individual Defendant for any business such Defendant, individually or collectively with any other Defendants, is the majority owner or controls directly or indirectly, and each Corporate Defendant must deliver a redacted copy of this Order (in the form attached as Attachment B) to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees, agents, and representatives who participate in conduct related to the subject matter of the Order; and (3) any business entity resulting from any change in structure as set forth in the Section titled "Compliance Reporting." Delivery must occur within 7 days of entry of this Order for current personnel. For all others, delivery must occur before they assume their responsibilities.
- C. From each individual or entity to which a Settling Defendant delivered a copy of this Order, that Settling Defendant must obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

X. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that the Settling Defendants make timely submissions to the Commission:

- A. One year after entry of this Order, each Settling Defendant must submit a compliance report, sworn under penalty of perjury:

1. Each Settling Defendant must: (a) identify the primary physical, postal, and email address and telephone number, as designated points of contact, which representatives of the Commission may use to communicate with that Settling Defendant; (b) identify all of that Settling Defendant's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (c) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant; (d) describe in detail whether and how that Settling Defendant is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment obtained pursuant to this Order, unless previously submitted to the Commission.
 2. Additionally, each Individual Defendant must: (a) identify all telephone numbers and all physical, postal, email and Internet addresses, including all residences; (b) identify all business activities, including any business for which such Individual Defendant performs services whether as an employee or otherwise and any entity in which such Individual Defendant has any ownership interest; and (c) describe in detail such Individual Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.
- B. For 20 years after entry of this Order, each Settling Defendant must submit a compliance notice, sworn under penalty of perjury, within 14 days of any change in the following:

1. Each Settling Defendant must report any change in: (a) any designated point of contact; or (b) the structure of any Corporate Defendant or any entity that such Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including: creation, merger, sale, or dissolution of the entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.
 2. Additionally, each Individual Defendant must report any change in: (a) name, including aliases or fictitious name, or residence address; or (b) title or role in any business activity, including any business for which such Individual Defendant performs services whether as an employee or otherwise and any entity in which such Individual Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.
- C. Each Settling Defendant must submit to the Commission notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Settling Defendant within 14 days of its filing.
- D. Any submission to the Commission required by this Order to be sworn under penalty of perjury must be true and accurate and comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on:

_____” and supplying the date, signatory’s full name, title (if applicable), and signature.

- E. Unless otherwise directed by a Commission representative in writing, all submissions to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: FTC, et al. v. The Tax Club, et al., X130019.

XI. RECORDKEEPING

IT IS FURTHER ORDERED that the Settling Defendants must create certain records for 20 years after entry of the Order, and retain each such record for 5 years. Specifically, the Corporate Defendants and each Individual Defendant, for any business that such Defendant, individually or collectively with any other Defendant, is a majority owner or controls directly or indirectly, must create and retain the following records:

- A. accounting records showing the revenues from all goods or services sold;
- B. personnel records showing, for each person providing services, whether as an employee or otherwise, that person’s: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination;
- C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;
- D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the Plaintiffs; and

- E. a copy of each unique contract with any payment processor or list broker.

XII. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring the Settling Defendants' compliance with this Order, including the financial representations upon which part of the judgment was suspended and any failure to transfer any assets as required by this Order:

- A. Within 14 days of receipt of a written request from a representative of any Plaintiff, each Settling Defendant must: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce documents for inspection and copying. The Plaintiffs are also authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69. Provided that Settling Defendants, after attempting to resolve a dispute without court action and for good cause shown, may file a motion with this Court seeking an order for one or more of the protections set forth in Rule 26(c).
- B. For matters concerning this Order, the Plaintiffs are authorized to communicate directly with each Settling Defendant. Settling Defendants must permit representatives of the Plaintiffs to interview any employee or other person affiliated with him who has agreed to such an interview. The person interviewed may have counsel present.
- C. The Plaintiffs may use all other lawful means, including posing, through their representatives as consumers, suppliers, or other individuals or entities, to the

Settling Defendants or any individual or entity affiliated with the Settling Defendants, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

XIII. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction of this matter for purposes of enforcing this Order.

FOR THE PLAINTIFFS:

Darren Lubetzky
Ann F. Weintraub
Savvas Diacosavvas
Federal Trade Commission
Northeast Region
1 Bowling Green, Suite 318
New York, New York 10004
Tel: 212-607-2829
Fax: 212-607-2822
Counsel for Plaintiff Federal Trade Commission

Dated: _____

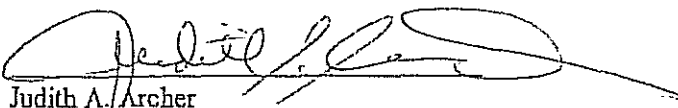
Robert G. Clements
Office of the Attorney General
135 W. Central Blvd., Suite 1000
Orlando, Florida 32801
Tel: 407-245-0833
Fax: 407-245-0365
Counsel for Plaintiff State of Florida

Dated: 5/23/14

Judy S. Prosper
Office of the Attorney General
Westchester Regional Office
101 East Post Road
White Plains, New York 10601
Tel: 914-422-8824
Fax: 914-422-8706
Counsel for Plaintiff State of New York

Dated: _____

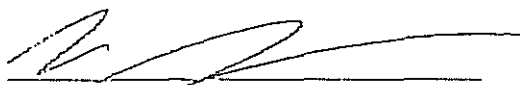
FOR THE DEFENDANTS:


Judith A. Archer
Peter Guirguis
Sarah E. O'Connell
Fulbright & Jaworski L.L.P.
666 Fifth Avenue
New York, New York, 10103
Tel: 212-318-3000
Fax: 212-318-3400
*Counsel for Defendants Pack, Savage,
and the Corporate Defendants*


Dated: 5/27/14

Brendon A. Pack, *Defendant*

Dated: _____


Michael M. Savage, *Defendant*

Dated: 5-12-2014


The Fax Club, Inc., *Defendant*

Dated: 5-12-2014

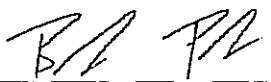
Judy S. Prosper
Office of the Attorney General
Westchester Regional Office
101 East Post Road
White Plains, New York 10601
Tel: 914-422-8824
Fax: 914-422-8706
Counsel for Plaintiff State of New York

Dated: _____

FOR THE DEFENDANTS:

Judith A. Archer
Peter Guirguis
Sarah E. O'Connell
Fulbright & Jaworski. L.L.P
666 Fifth Avenue
New York, New York, 10103
Tel: 212-318-3000
Fax: 212-318-3400
*Counsel for Defendants Pack, Savage,
and the Corporate Defendants*

Dated: _____


Brendon A. Pack, *Defendant*

Dated: 5/11/14

Michael M. Savage, *Defendant*

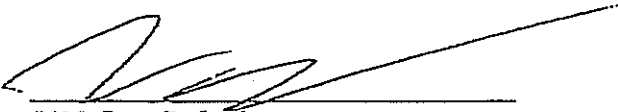
Dated: _____

The Tax Club, Inc., *Defendant*

Dated: _____


Manhattan Professional Group, Inc., *Defendant*

Dated: 5-12-2014


5410, Inc., *Defendant*

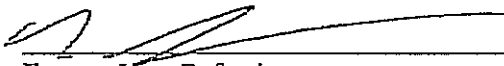
Dated: 5-12-2014

Marble Base, Inc., *Defendant*

Dated: _____


6015, LLC, *Defendant*

Dated: 5-12-2014


Ikongo, Inc., *Defendant*


Dated: 5-12-2014

Tabuya, Inc., *Defendant*

Dated: _____


Visavis, Inc., *Defendant*

Dated: 5-12-2014


HB Marketing, LLC, *Defendant*

Dated: 5-12-2014


Premier Coaching & Consulting, LLC, *Defendant*


Dated: 5-12-2014


Skorprios Holdings, Inc. Defendant

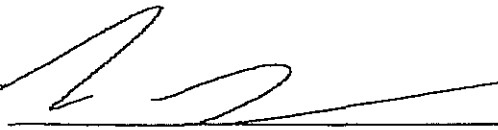
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Harbor Live Work, LLC, as to
Sections V.C, VI, and VII by Defendant Pack

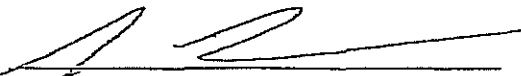
Dated: _____


Harbor Live Work, LLC, as to
Sections V.C, VI, and VII by Defendant Savage

Dated: 5-12-2014


Tunkol, LLC, as to
Sections V.G, VI and VII by Defendant Savage

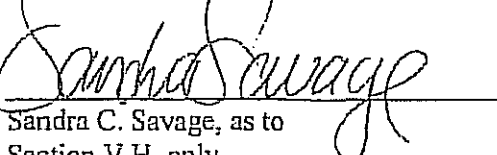
Dated: 5-12-2014


4142 California Avenue, LLC, as to
Sections V.G, VI and VII

Dated: 5-12-2014

Courtney Pack, as to Section V.E, only

Dated: _____


Sandra C. Savage, as to
Section V.H, only

Dated: 5-7-2014

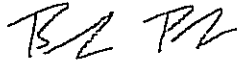
IT IS SO ORDERED.

HON. JESSE M. FURMAN
UNITED STATES DISTRICT COURT JUDGE

Dated: _____

Skorpis Holdings, Inc. *Defendant*

Dated: _____



Harbor Live Work, LLC, as to
Sections V.C, VI, and VII *by Defendant Pack*

Dated: 5/11/14

Harbor Live Work, LLC, as to
Sections V.C, VI, and VII *by Defendant Savage*

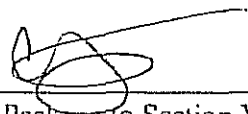
Dated: _____

Tunkol, LLC, as to
Sections V.G, VI and VII *by Defendant Savage*

Dated: _____

4142 California Avenue, LLC, as to
Sections V.G, VI and VII

Dated: _____



Courtney Pack, as to Section V.E, only

Dated: 5/11/14

Sandra C. Savage, as to
Section V.H, only

Dated: _____

IT IS SO ORDERED.

HON. JESSE M. FURMAN
UNITED STATES DISTRICT COURT JUDGE

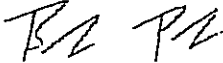
Dated: _____

Manhattan Professional Group, Inc., *Defendant*

Dated: _____

5410, Inc., *Defendant*

Dated: _____



Marble Base, Inc., *Defendant*

Dated: 5/11/14

6015, LLC, *Defendant*

Dated: _____

Ikongo, Inc., *Defendant*

Dated: _____



Tahuya, Inc., *Defendant*

Dated: 5/11/14

Visavis, Inc., *Defendant*

Dated: _____

HB Marketing, LLC, *Defendant*

Dated: _____

Premier Coaching & Consulting, LLC, *Defendant*

Dated: _____